From: Bill Turner
To: Microsoft ATR
Date: 1/7/02 4:02pm
Subject: comments on microsoft judgement

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CC: Dennis Powell,Steve Coe,Tony Charoen,Laurence Hunt...

Gentlemen:

First, I'd like to thank you for allowing this period of "public comment" on the Microsoft Anti-Trust
Settlement. I have taken the liberty of cc'ing a few of my closest friends scattered "hither and yon" around
the globe as well as a "Linux Columnist" because I think this really is an International, as well as very
important, issue that should not be restricted to the views of a few people, or to "Americans Only."

I suppose an appropriate beginning would be to talk a bit about my qualifications. First and foremost I am
not an attorney. I am a "computer professional" with over 20 years of experience of all kinds in the
"computer industry" and have worked on equipment ranging from mainframe computers (using punched cards as
input and output) to stand-alone and networked PC's. I have a BBA in Computer Information Systems (Cum Laude)
from National University in San Diego, CA from 1985. And an AS in Data Processing from San Diego City
College.

Since the fall of 1980 when I began classes at San Diego City College I have worked on many different types of
hardware, and used many different Operating Systems. Back in the early 80's the world of the PC was still a
"wild and wooly" kind of place. Many OS's and computer hardware philosophies existed to provide an
environment where the end user had an incredible amount of choice.

I have, as a computer professional, essentially "grown up" along with the PC. I have watched the hardware
side of things advance rapidly from the "turbo" PC XT clone of my first system (10 MHz!), 640KB RAM (which
according to Bill Gates at the time 'should be enough for anybody') and no hard drive at all to the situation
today where a 1 GHz processor and 128MB of RAM (and a 20GB hard drive) is considered routine.

I have watched as the business world embraced PC technology with open arms. To make them "more productive"
and to cut costs (as compared to mainframes). I have watched while the PC was "standardized" to be a
"Microsoft-Only" machine in so far as the OS and most applications suites are concerned.

I have seen, for more than two decades now, the kind of company MIcrosoft is, and the kind of business
practices that they consider to be "acceptable" I find to be so abhorrent I will do almost anything to avoid
putting money into their pockets.

Unfortunately, as a "computer professional," I find myself, more often than I'd like to think about, in the
situation of having to recomend and then support Microsoft products because of the almost universal perception
that "the Microsoft Way is the Only Way" and most companies will not even consider anything else. Even now.

There have been "alternatives" to Microsoft products all along. Back in the days of MS DOS there were
products such as CP/M, 4DOS, and DR-DOS. But one thing Microsoft has always been a master at. Marketing.
They managed to convince the PC makers to include the MS DOS OS with every new system sold. Once PC's started
being sold with hard drives installed it was even easier to do this as Microsoft went

to the companies
(politely at first, the strong-arm stuff came later) and managed to get them to sign
"exclusive" agreements
with Microsoft.

These "exclusive" agreements meant that NO competitors OS software (or applications
software for that matter)
could be installed on any system sold. And of course, you could not sell a PC with NO
OS installed.
According to Microsoft this was to "stop piracy" but in reality it was a ploy to make
Microsoft, Bill Gates,
Paul Allen, and all the rest of them so filthy RICH that it is more than obscene.

How "powerful" is Microsoft? Consider the case of OS/2 and IBM for an answer to that.
 IBM is hardly what one
could consider a "small company" and easily pushed around by anybody. According to
documents published
already from the DOJ's Microsoft Anti-Trust Trial even a company the size of IBM was
"forced" to sign
"exclusive agreements" with Microsoft to include a copy of Windows 95 with every PC
sold, or not have a
"license" to sell Windows 95 at all. If a company the size of IBM has "no choice"
then the rest of the
software and computer industry is pretty well screwed isn't it?

Today, Microsoft has a lot of very real competition. This is as it should be. For
server and other "back
office" applications Linux is "kicking tail" and that's only going to improve.
However, if the U.S.
Government "gives in" to Microsoft on this Anti-Trust Settlement, and you need to
understand that the view
"from the street" is that you are doing EXACTLY that very thing, then Microsoft is
going to go on, just as
before, and absolutely NOTHING will have been gained from the long, and expensive,
anti-trust trial.

Red Hat Linux <http://www.redhat.com> has offered to take the proposal that Microsoft
provide it's OS and apps
software to the "14,000 poorest U.S. School Districts" one better. They have offered
to take the money that
would have been spent for the Microsoft OS and apps software, and use that to invest
in more hardware for the
schools instead.

The money can be used to provide a rather substantial increase in the number of
computers provided to the
school districts. Red Hat has agreed to "provide Open Source solutions" which include
Red Hat Linux and any
applications needed (perhaps the Star Office suite - a "worthy replacement" for MS
Office in every way) and
this will be something that is not going to require going back in a few years to
"upgrade" all of those
systems because the OS and applications software licenses will have expired.

Open Source is about Freedom. Freedom of Choice in just about everything. Linux is
an excellent and probably
the best known example of this. The Linux Kernel is "hacked" (coded) by people all
over the world. It all
flows through a small group of people (including Linus Torvalds, the creator) who
ensure that there is
"control" over what gets put in, what doesn't, and to ensure a central place to keep
track of what bugs yet
need squashing.

With Linux, you can run at the command line, or under X Windows (a graphical
environment or GUI). If you run
X Windows you then have a plethora of "environments" to choose from and run. GNOME

or KDE (both quite
legitimate competitors to the MS Windows environment) or perhaps a "light weight"
Window Manager such as IceWM
(my personal favorite) or the well-regarded Enlightenment Window Manager.

The point is that with Linux, and with Open Source, you get a tremendous amount of
choice "built-in" and it
has always been there. With Microsoft the only "choice" you get is to open your
wallet, when they tell you
to, and to pay them what they tell you to, or to not use their products. If everyone
else is using their
products this can be "a bit of a problem" to put it politely.

There are other issues as well. One of the things keeping Linux from being even more
widely accepted than it
already is has to do with the fact that when the consumer goes to buy a PC it is
REQUIRED - still - to have a
Microsoft OS on it. The consumer is not told how much of the cost of the system is
due to the OS. The
consumer is not told that they have any choice in the matter at all.

This needs to be changed, dramatically. Ideally when a consumer walks into a computer
store he would be shown
"that system in the window" advertized for $499 and then it would go something like
this:

Salesman: OK sir, we need to discuss how you'd like your system setup. What OS
would you like?

Customer: What do you have available? What's the cost? What's included?

Salesman: We have Windows XP, Red Hat Linux, or you can get the system with no
OS at all and install
whatever you'd like when you get home.

If you want Windows XP that would add $150 to the price for the "home" version, and
$250 for the
"professional" version. We can install it for you free. You won't get a CD. And
that includes no "office"
or "development" software. If you want to add that we can discuss your needs so I
help you with that.   Also,
you will have to go to Microsoft to get your OS "activated" after it's installed. You
have 30 days to do that
or it stops working.

If you want Red Hat Linux (the Deluxe Boxed set) it will add about $80 to the price.
Red Hat Linux comes with
6 CD's containg the OS, the Source Code for that, and a host of applications software
of all types. We can
also install that for you for free.

Also, you need to know that, by default, the system has a "win-modem" installed. What
that means is that it
will only work with a version of the Windows OS. If you want a "real" modem that will
work with any OS then
we have an internal 56K modem for $50 and an external for $120.

Customer: I never realized before how expensive it was to have Windows! What's
the deal with this modem
that won't work with anything else? That doesn't sound right to me. How hard is it
to use Linux? Do you
have classes for that?

Salesman: Yes sir, it can be kind of expensive to run Windows. The "win-modem"
is a cheap modem that uses
"software" to do part of the job "hardware" used to do routinely. It uses about 15%
of the system resources

to do that on average. It is much cheaper though at only $25 instead of $50 for the internal modem.

Linux can be kind of difficult to learn at first. But yes sir, we do have classes in Linux. We can also
discuss what your needs are going to be and we can do all the installation and almost all the setup of it here
in the store for you. Just like Windows.

Once it's installed and properly configured Linux is really no more difficult to run than Windows is. I think
you'll find many things to like about Linux once you give it a try.

So what would you like to do sir?

Customer: I think I'll take the Red Hat Linux, installed, and the external modem as well. And I'd like to
talk about getting some of those classes you mentioned.

Salesman: Yes Sir! I think you'll be happy with the choice you've made. Let's talk about getting you
scheduled for some of those Linux user classes. Would evening or on the weekend better suit your schedule?

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In an ideal world, this is what would happen. I've used Red Hat Linux as an example only. Could just as well
be SuSE, Debian, Slackware or Mandrake Linux. Or something from another OS maker. BeOS. FreeBSD.   or a
host of others.

I think that if Microsoft is "punished" by putting their OS and applications software into the 14,000 poorest
school districts in America then they are not actually being punished at all. The school districts are now
pawns in a ploy to get Microsoft on every school desktop in America.

If Red Hat Linux is taken up on their offer to substitute Open Source applications and OS software there is
going to be, of necessity, an absolutely vital long-term benefit to this nation, and the world, that no one
seems to realize. The students are going to be exposed at an early age to the "Open Source Attitude" and that
is something worthwhile in my opinion.

Also, if you go to Linuxdot.Org <http://www.linuxdot.org> you'll find a couple of columns I've written. One of
them, on "OS Arrogance" I think it is, has a link to an article where a description of the School System of
Mexico choosing to use "Open Source" and how that has gone so far. Personally, I think that if "Open Source"
and Linux is "good enough" for the schools in Mexico then it is surely "good enough" for the Public Schools in
the United States as well.

In a world where "the 'net" is almost everywhere, it is important that this "punishment" of Microsoft be seen
in the larger context that it is actually a part of. The World Community. Not just the United States. For
something of this magnitude "national borders" are irrelevant.

Left unsaid until now is the absolutely horrific "security" aspects of just about any Microsoft OS or
application you'd care to name. To call the quality of Microsoft's products "shoddy" is about as accurate as
describing "gang rape" as "an amusing Saturday evening diversion".

Microsoft released Windows 2000 to the world with a list of "known bugs" that totaled over 67,000. This is
what they "knew about" and released anyway. Microsoft doesn't really care about security. All they care
about is money.

Want proof? Do like I did. Subscribe to a few internet mailing lists on secuity issues (like the one from
CERT) and you will find again and again "exploits" against Microsoft products. Microsoft products keep the
"anti-virus" makers in business all by themselves.

Microsoft, even when someone takes the time and trouble to describe to them EXACTLY what the exploit is, how
to use it, and (in many cases) how to "plug the hole" simply can not be bothered to even respond to the
person letting them know. Let alone actually taking the time and trouble to work on making "security" holes
disappear in their products.

In the Linux world of course things are different. Linux, like any other OS or application, has it's own set
of problems. Linux though, since it's "Open Source" has a huge advantage. Anyone that wishes to can take the
source, fix a bug they found, and submitt that back to the "Linux Community" at large almost instantly.

In practical terms this means that when an "exploit" is discovered in Linux there is a "fix" available for it
in a matter of only a couple of days. Many times, it's available in a matter of hours. Word is put out on
where to get it, and how to install it. Almost before most people even knew that there was "a problem" it has
already been fixed.

Microsoft, on the other hand, quite routinely takes weeks or months to "fix" whatever security hole we are
talking about. If they do so at all. Many of the people that write virsuses to "attack" Windows do so
because Microsoft has quite routinely ignored these problems in the past.

If you have a "known exploit" that has been around for months and you know that Microsoft is not about to take
one minute of their time, or spend one dollar of their money, fixing something like that then it becomes
ridiculously easy to have something like the "Melissa" Virus spreading like wildfire all over the world.

If Microsoft is forced to compete on an equal basis with everyone else then Microsoft is going down the tubes,
in a hurry, because Microsoft has never in it's life tried to compete on an equal footing with anyone and
wouldn't have the slighest idea how to go about doing that.

"Freedom of Choice" is one of the Open Source Credo's. Unspoken or not.

Let's make it the "rule of law" so far as Microsoft is concerned as well please.

I'd like to close with a short bit about "standards." Both the "real" and the "Microsoft" variety.

"Real" standards of course are just that. Standards that a majority of knowledgable people from around the
world have agreed on "yes, this is how this will work" and everyone knows that this is how things will work.

"Microsoft" standards are standards because Microsoft says so. Microsoft is an "old

pro" at taking "real"
standards, like XML, and "improving" it. Microsoft's idea of an "improvement" however
usually is along the
lines of "it only works with Microsoft products" now.

I recently read a bit of news where the Opera web browser was not able to connect to a
portion of the MSN.com
site unless it was configured to tell the server it was "Internet Explorer." Opera
allows you to "tweak" many
things. Including how to present itself to the web server. So long as "I.E." was
selected Opera users could
access anyplace on the site. When it was telling the server that it was, in fact,
Opera, a cryptic message
about "upgrading your browser" and quite specifically mentioning I.E. was displayed
instead.

Microsoft claims that it was "an accident" and it was soon enough fixed. But it does
much to show what the
thinking of Microsoft is as regards the Internet, and standards for the Internet.

I believe that Microsoft should be forced to adhere to standards that are really
standards. I also believe
that they should be forced to not only document their Windows API calls, but also to
document their file
formats. In particular their "*.doc" format. This is something that changes all the
time. Also, Microsoft
should be forced to document all the "improvements" they've made to "standards" such
as XML, and other
Internet related "standards" that they have "improved."

As a company Microsoft wouldn't know "innovation" if it came up and bit them. All
they know is how to take
ideas someone else had, put it in a pretty wrapper, declare it to be the result of
"years of research and
development work" and then expect people to pay whatever they decide to charge.

We need to put a stop to this. If not for Microsoft and their decidedly
"anti-competitive" nature the
computing industry could be years ahead of where we are now.   You have the power,
and the opportunity, to
make historic changes that will not only affect us, but indeed will affect most of the
world in one fashion or
another.

Please do not "roll over" for Microsoft. No matter how much money, or how many
lawyers they throw at you.
Let's see "justice" actually be just that for a change.

Thank you.